

## REGULAR MEETING, October 22, 2012

The Regular Session of the Deadwood City Commission convened on October 22, 2012 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Commissioner Georgeann Silvernail called the meeting to order with the following members present: Department Heads, City Attorney and Commissioners, Joe Peterson, Gary Todd and Jim Van Den Eykel. Mayor Toscana was absent. All motions passed unanimously unless otherwise stated.

### APPROVAL OF MINUTES

Todd moved, Van Den Eykel seconded to approve the minutes of October 15, 2012. Roll Call: Aye-All. Motion carried.

### APPROVAL OF DISBURSEMENTS

Van Den Eykel moved, Peterson seconded to approve the October 22, 2012 disbursements. Roll Call: Aye-All. Motion carried.

A & J SUPPLY	SUPPLIES	124.81
BEST WESTERN	LODGING	735.92
BLACK HILLS OCCUPATIONAL	TESTING	60.00
BH PIONEER	ADS	1,537.27
BH POWER	ELECTRICITY	13,510.10
BH SPECIAL SERVICES	CLEANING	1,407.00
CAMPBELL, JASON	REIMBURSEMENT	231.50
CENTURY LINK	SERVICE	293.69
DUNCAN PARKING	TRAINING	3,000.00
FIRST NATIONAL	DEBT SERVICE	228,293.75
GLAXOSMITHKLINE	VACCINE	626.00
HEIMAN FIRE EQUIPMENT	ADAPTORS	95.60
HILLS MATERIALS	ASPHALT	391.56
INTERSTATE ENGINEERING	ENGINEERING	2,524.50
LEAD-DEADWOOD SANITARY	AUCTION ITEMS	2,410.00
NATIONAL FIRE PROTECTION	MATERIALS	480.55
NEIGHBORHOOD LENDING	KIDWEIRD EVENT	750.00
PACE STRATEGIC DEVELOPMENT	INSTALLMENT	1,200.00
PIKE, MATTHEW	ATTENDANCE	300.00
RASMUSSEN MECHANICAL	MAINTENANCE	506.56
REGIONAL HEALTH PHYSICIANS	TESTING	25.00
TRIDLE, JOHN	REIMBURSEMENT	31.76
TSP THREE	SERVICE	813.91
US POST OFFICE	POSTAGE	224.56
WATER ENVIRONMENT	MEMBERSHIP	98.00
	<b>TOTAL</b>	<b>\$259,672.04</b>

### ITEMS FROM CITIZENS ON AGENDA

#### S.D. Department of Legislative Audit -2011

Al Schaeffer from S.D. Department of Legislative Audit appeared before the Commission to review the results of the 2011 Audit. As stated in the management letter, he suggested that a third party should review journal entries recorded by the Finance Officer, and establish an allowance for uncollectible revolving loans. He thanked Mary Jo and the staff for the help and added that the city received an unqualified opinion for the 2011 audit. Peterson moved, Van Den Eykel seconded to allow the Mayor and Finance Officer to sign the representation letter for the 2011 Audit. Roll Call: Aye-All. Motion carried.

#### Parking Request

Chuck Turbiville on behalf of the Deadwood Chamber appeared before the Commission to request free parking in metered spaced and lots, excluding the Broadway Parking Ramp from Thursday November 22, 2012 through Wednesday December 26, 2012. Todd moved, Van Den Eykel seconded to approve the Chambers request. Roll Call: Aye-All. Motion carried.

### PUBLIC HEARINGS/BID OPENINGS

#### Bid Opening – Retaining Walls

Historic Preservation Officer, Kevin Kuchenbecker opened six bids for the retaining wall at 25 Terrace and 29 Terrace and five bids for 95 Stewart. Bid bonds were included in all bid submittals. Bids are as follows:

25 Terrace: Tru-Form - \$94,480.00, Central American Inc. - \$39,000.00, R.C.S. Construction - \$35,320.00, Scull Construction - \$59,000.00, Ainsworth-Benning Construction - \$85,600.00 and Sabo Construction - \$36,545.00.

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29 Terrace: Tru-Form - \$123,200.00, Central American Inc. - \$33,000.00, R.C.S. Construction - \$41,035.00, Scull Construction - \$48,000.00, Ainsworth-Benning Construction - \$81,800.00 and Sabo Construction - \$39,169.00.

95 Stewart: Tru-Form - \$57,825.00 with Alt. 1 - \$3,000.00, Central American Inc. - \$49,900.00 with Alt. 1 - \$1,500.00, R.C.S. Construction - \$22,093 with Alt. 1 - \$750.00, Scull Construction - \$98,000.00 with Alt. 1 \$1,100.00 and Ainsworth-Benning Construction - \$106,800.00 with Alt. 1 - \$1,900.00.

Kevin requested to continue the bid opening for review until Monday October 29, 2012. Van Den Eykel moved, Todd seconded to continue. Roll Call: Aye-All. Motion carried.

### Set Bid/Advertise

Todd moved, Van Den Eykel seconded to advertise and set the bid opening for retaining wall project at 15 Madison at 5:05 p.m. on November 12, 2012. Roll Call: Aye-All. Motion carried.

## HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDING/SAFETY

### Contract

Todd moved, Peterson seconded to enter into contract with Rasmussen to replace steam coil at the Pavilion at a cost of \$27,860, from Public Building and direct Attorney to prepare contract. According to Public Works Director, Jim Raysor the total amount spent on the boiler to date is \$225,000.00. Roll Call: Aye-All. Motion carried.

### Findings of Fact

Peterson moved, Van Den Eykel seconded to approve the Findings of fact for Conditional Use Permit for a Tattoo Business at 652 Main Street for Jody Neuy as recommended by the Deadwood Planning and Zoning Commission. Legal Description: Lot 14 Block 19 Original Town Deadwood, Lawrence County, South Dakota. Roll Call: Aye-All. Motion carried.

### Contract

Todd moved, Peterson seconded to enter into contract with Mark Speirs to replace steps and repair railing system at Adams House at a cost of \$4,998.00 to be paid from Historic Preservation Capital Assets. Roll Call: Aye-All. Motion carried.

### Contract

Peterson moved, Van Den Eykel seconded to enter into contract with Custom Décor Masonry for work done at the Mickelson Trail Head due to moisture coming in through the top of the sign and ornamental bases for urns by cannon at a total cost of \$4,885.00 to be paid from Historic Preservation Education. Roll Call: Aye-All. Motion carried.

## POLICE/FIRE

### Agreement

Silvernail moved, Peterson seconded to allow the Mayor to sign the Mutual Aid Agreement between the City of Lead and the City of Deadwood Police Department if either party is called outside their jurisdiction. Roll Call: Aye-All. Motion carried.

### Approve Recommendation

Todd moved, Van Den Eykel seconded to approve the expenditure of \$20,326.35 to Brandon Industries for new signs, poles and accessories for Main Street from Broken Boot to Four Aces, a Parking and Transportation recommendation. Roll Call: Aye-All. Motion carried.

## LEGAL BUISNESS

### Agreement

Van Den Eykel moved, Todd seconded to allow Mayor to sign the agreement with Deadwood History Inc. for the use of city property to display the carriage at History and Information Center. Roll Call: Aye-All. Motion carried.

### Oakridge Cemetery Certificate

Todd moved, Van Den Eykel seconded to allow Mayor to sign the Oakridge Cemetery Certificate of Purchase and Warranty Deed for Virginia E. Fuller. Roll Call: Aye-All. Motion carried.

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First Reading

Todd moved, Peterson seconded to approve the First Reading of Ordinance #1182, Creating Chapter 12.50 for Staging Areas. Roll Call: Aye-All. Motion carried.

First Reading

Peterson moved, Van Den Eykel seconded to approve the First Reading of Ordinance #1183 Amending Chapter 12.24 for parades and Assemblies. Roll Call: Aye-All. Motion carried.

Executive Session

City Attorney requested executive session for Contractual Matters per SDCL 1-25-2 (3) with no action to be taken.

**MAYORS BUISNESS**

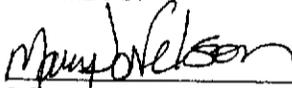
Resignation

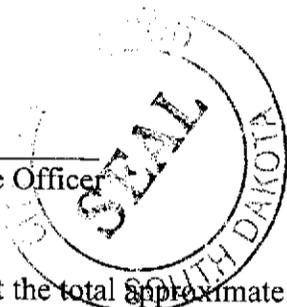
Peterson moved, Todd seconded to accept the resignation with deep regret of Jason Campbell effective October 29, 2012. Roll Call: Aye-All. Motion carried.

**ADJOURNMENT**

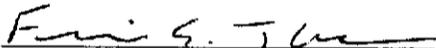
Todd moved, Van Den Eykel seconded to adjourn the regular session at 5:36 p.m. and convene into Executive Session for Contractual Matters per SDCL 1-25-2 (3). The next regular meeting will be at 5:00 p.m. on Monday October 29, 2012.

ATTEST:

  
Mary Jo Nelson, Finance Officer



DATE: 10-29-12

BY:   
Francis A. Toscana, Mayor

Published once at the total approximate cost of \_\_\_\_\_.